AMENDMENTS TO THE CLAIMS

1. **(Currently Amended)** An apparatus to calibrate an optical instrument and warm a distal portion of said optical instrument comprising:

a heat conducting tube capable of receiving said distal portion,

a heating element thermally coupled to said tube,

a non-porous whitening element within or at the distal end of said tube that enables white balancing of said optical instrument.

2. (Previously Presented) The apparatus of claim 1 further comprising:

a double walled cylindrical tube forming part of said heat conducting tube having an internal wall, external wall, upper surface and open distal portion with central cavity there between,

an aperture extending from said upper surface sized and shaped to receive said distal portion of said optical instrument,

a cap sized to attach to said distal portion of said double walled cylindrical tube,

an insulation layer between said internal wall and said external wall of said double walled cylindrical tube,

said heating element enclosed within said central cavity and thermally coupled to said insulation layer,

wherein said whitening element is located in the distal portion of said aperture, such that said distal portion of said optical instrument abuts said whitening element and light from said optical instrument is reflected off said whitening element back to said optical instrument in order to achieve white balancing of said optical instrument.

3. (Previously Presented) The apparatus of claim 1 or 2 wherein said apparatus is constructed from a thermoplastics type material.

4. (Previously Presented) The apparatus of claim 1 wherein said apparatus is constructed from a thermoset plastics material.

5. (Previously Presented) The apparatus of claim 2 wherein said double walled cylindrical tube has a horizontal cavity extending from said external wall through said distal portion of said aperture, sized and shaped to fit said whitening element.

6. (Canceled)

7. (Previously Presented) The apparatus of claim 1 wherein said heating element comprises a conductive material.

8. (Previously Presented) The apparatus of claim 7 wherein said conductive material is water or saline solution.

9. (Previously Presented) The apparatus of claim 7 wherein said conductive material is selected from a group consisting of wheat, barley, oat grass seeds and rice.

10. (Previously Presented) The apparatus of claim 1 wherein said whitening element is constructed from one of a group consisting of a thermoset plastics material, thermoform plastics material, ceramics material, non-woven material and woven fibrous material.

11. (Previously Presented) The apparatus of claim 1 wherein said heating element is heated prior to use by micro-waving said apparatus.

12. (Previously Presented) The apparatus of claim 1 wherein said heating element is heated prior to use by inserting said apparatus into a conventional oven type surgical warmer.

13. (Previously Presented) The apparatus of claim 2 wherein said insulation layer comprises air.

14. (Previously Presented) The apparatus of claim 1 wherein said apparatus is disposable.

15. (Previously Presented) The apparatus of claim 2 wherein said tube has an attachment mechanism attached to said upper surface configured to removably attach said apparatus to a surgical drape or table.

16. (Previously Presented) The apparatus of claim 15 wherein said attachment mechanism is a handle.

17. (Canceled)

18. (Previously Presented) The apparatus of claim 2 wherein said aperture has a flexible grommet surrounding at least a portion of said upper surface adaptable to receive said distal portion of an optical instrument of differing size.

19. (Canceled)

20. (**Currently Amended**) A device configured to calibrate an optical instrument and warm a distal portion of the optical instrument, the device comprising:

a tube-like structure capable of receiving a distal portion of an optical instrument;

a heating element included in the tube-like structure which retains heat after being heated and radiates the retained heat, the heating element configured to heat the distal portion of the optical instrument when the distal portion of the optical instrument is inserted into the tube-like structure; and

a non-porous whitening element within or at the distal end of said tube-like structure, the whitening element usable to provide a basis for optical calibration of the optical instrument.

21. (Previously Presented) The device of claim 20, wherein said tube-like structure comprises a double walled cylindrical tube having an internal wall, external wall, upper surface and distal portion with central cavity there between.

22. (Previously Presented) The device of claim 21, further comprising an insulation layer between said internal wall and said external wall of said double walled cylindrical tube.

23. (Previously Presented) The device of claim 22, wherein said heating element is enclosed within said central cavity and thermally coupled to said insulation layer.

24. (Previously Presented) The apparatus of claim 21, wherein said tube-like structure further comprises an aperture extending from said upper surface sized and shaped to receive said distal portion of said optical instrument.

25. (Previously Presented) The apparatus of claim 24, wherein said double walled cylindrical tube has a horizontal cavity extending from said external wall through said distal portion of said aperture, sized and shaped to fit said whitening element.

26. (**Currently Amended**) A method of calibrating an optical instrument and warming a distal portion of the optical instrument comprising:

heating a heating element included in a device configured to calibrate an optical instrument and warm a distal portion of said optical instrument, the device including a tube-like structure capable of receiving said distal portion of said optical instrument;

inserting said distal portion of said optical instrument into said device to warm said distal portion of said optical instrument with heat retained and radiated by said heating element; and

calibrating said optical instrument while inserted in said device using a non-porous whitening element in the tube-like structure.

27. (Previously Presented)The method of claim 26, wherein heating said heating element comprises raising the temperature of said heating element to a temperature above ambient body temperature.

28. (Previously Presented)The method of claim 26 further comprising inserting said distal portion of said optical instrument into said device for a time period sufficient to raise the temperature of said heating element to a temperature above ambient body temperature.

29. (Previously Presented)The method of claim 26, wherein calibrating said optical instrument comprises turning on said optical instrument such that light emanates from said distal portion, strikes said whitening element, and is reflected back into a lens at a distal end of said optical instrument.